

**BOARD OF DIRECTORS
BLUEFIELD, WEST VIRGINIA
December 11, 2012**

The Board of Directors of the City of Bluefield, West Virginia met in regular session December 11, 2012 at 12 p.m. in the Municipal Boardroom. Present were Mayor Linda K. Whalen; Directors Mary Frances Brammer, Tom Blevins, Deb Sarver and Pete Sternloff; City Manager Jim Ferguson; City Attorney Brian Cochran and City Clerk Helen Mitchell.

INVOCATION/PLEDGE

The Invocation was given by Director Mary Frances Brammer, followed by the Pledge of Allegiance.

Mayor Linda Whalen welcomed everyone to the meeting.

MINUTES

Minutes of the November 27, 2012 meeting were unanimously approved as presented on a motion by Director Pete Sternloff, seconded by Director Mary Frances Brammer.

DISCUSSION ITEMS

City Manager Jim Ferguson recognized and thanked Administrative Assistant Tammy Fields on the remarkable job done in contacting businesses and individuals throughout the city to participate in the Christmas Parade.

City Manager Ferguson announced that the city offices will close at 1:00 p.m. on Christmas Eve.

Manager Ferguson announced that Sears had applied for a \$45,000 building permit for facility improvements to the K-Mart store on Cumberland Road.

Manager Ferguson advised that the Recycling Program had just finished their fifth year and had passed 700 tons of recyclables.

City Manager Ferguson advised that the Bluefield Transit Authority served 17,000 citizens during the month of November.

City Manager Ferguson invited that all City employees to have breakfast with him at Hardees on Tuesday, December 18, 2012 beginning at 6:00 a.m.

City Manager Ferguson advised that 230 youths had signed up for the basketball program at the Youth Center.

Manager Ferguson commended Tom Dillard, employee at the Public Works Department for making sure the Street Department is the best it can be.

City Manager Ferguson advised that demolition is moving forward on Jones, Park and Yadkin Streets. Ferguson said that four properties on Bland Street are being prepared for demolition next week.

City Manager Ferguson advised that progress is being made on the Scott Street Parking Garage.

Director Pete Sternloff discussed the Bluefield Area Art Center which has housed the Science Center, Arts and Crafts and the Summit Players Theatre.

Director Pete Sternloff read a letter that was written to the editor of the Bluefield Daily Telegraph from John Velke regarding Gary Bowling's House of Art. Director Sternloff said that it is very important that we look at the Bluefield Area Art Center and see where we can go with an arts program in the City of Bluefield. The letter discussed Gary Bowling's House of Art located in the Bluefield Area Arts Center.

Mr. Velke stated in his letter that this business is open all year, does not cost anything to visit, serves as an inspiration to children and adults and showcases much of what is good in the community. Mr. Velke ask that city officials step up and step in and do whatever it takes to avoid having our quality of life diminished by having this business relocate elsewhere because of lack of funding.

Director Sternloff asked the city board and city officials to take a hard look at the existing lease of this building, and to consider the importance of this building and the arts to our community.

Discussion among board members ensued regarding the Bluefield Area Arts Center and the lease for the Alliance of the Arts. Mayor Whalen stated this would be an item that would be discussed and worked on by the city officials and the board.

City Attorney Brian Cochran discussed that the Planning Commission for the City of Bluefield held a Public Hearing on Wednesday, December 4, 2012 regarding the re-zoning of College Ave.

Attorney Cochran advised that the Planning Commission recommended to this board to change the zoning of College Avenue from RMF (Multi-family) to R-2 (Single family). Attorney Cochran advised that he had prepared an ordinance to be brought before this board at the next regularly scheduled meeting for approval of this change.

ACTION ITEMS

City Manager Jim Ferguson read into the record the Second Reading of an Ordinance to Amend Part 1, The Charter of the City of Bluefield, established by 1921 Acts of the WV Legislature. By the Amendments of Sec. 2 Corporate Limits; Sec. 8 Meetings of the Board of Directors; Sec. 10 Salaries and compensation of directors; Sec. 16.Oath; Residence Requirement; Sec. 19 Elections to the Board of Directors; Sec. 20 Removal of Directors, Recall Election; Sec. 58 Power to enact Laws; Sec. 60 Police Court Jurisdiction Generally; Sec. 67 Appeals; Sec. 84 Bribery-Definition; Punishment; Sec. 85 Same-Attempting, Punishment; Sec. 86 Same-Demanding or receiving bribe; Punishment; Sec. 93 General Penalty; and further adopting and enacting a new code for the City of Bluefield, West Virginia; Providing for the repeal of certain ordinances not included therein; Providing a penalty for the violation thereof; Providing for the manner of amending such code; and providing when such code and this ordinance shall become effective.

Attorney Cochran advised the board of two minor amendment changes (informational items) to be made to the ordinance. (1) Date changes to passage of previous ordinances that are

incorrect; (2) Informational page changing the name from former City Manager Andy Merriman to present City Manager Jim Ferguson.

A motion to approve the Second Reading of the Ordinance as written was made by Director Pete Sternloff, seconded by Director Tom Blevins. Unanimously approved and so ordered.

The next agenda item was the approval of payment # 4 to Swope Construction Company in the amount of \$405,918.77 for the demolition of the Scott Street Parking Garage.

A motion to approve payment # 4 to Swope Construction Company in the amount of \$405,918.77 was made by Director Tom Blevins, seconded by Director Pete Sternloff. Unanimously approved and so ordered.

Mayor Linda Whalen read into the record a Resolution of the City of Bluefield for the Title VI Program.

**RESOLUTION OF THE CITY OF BLUEFIELD
TITLE VI PROGRAM**

WHEREAS, the Bluefield Area Transit is a transit department within the City of Bluefield that serves two counties in Southern West Virginia; and

WHEREAS, the City of Bluefield and the Bluefield Area Transit are committed to a policy of non-discrimination in the conduct of all of its business; and

WHEREAS, the Bluefield Area Transit delivers equitable and accessible transportation services to all persons without regard to race, religion, age, disability, gender or other recognized protected classes.

NOW, THEREFORE BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE CITY OF BLUEFIELD, WEST VIRGINIA HEREBY APPROVES AND ADOPTS THE 2012-2014 PROGRAM OF THE FEDERAL TRANSIT ADMINISTRATION.

Given under our hands this the 11th Day of December, 2012.

Linda K. Whalen, Mayor

Pete Sternloff, Director

Mary Frances Brammer, Director

Dr. Tom Blevins, Director

Deb Sarver, Director

A motion to approve the resolution as read was made by Director Tom Blevins, seconded by Director Pete Sternloff. Unanimously approved and so ordered.

The final agenda item was a resolution asking Steve Smith, CEO K-VA-T and Tom Lilly, Co-owner of Bluefield Plaza to attend the January 8, 2013 Board meeting to help solve our crisis on Cumberland Road.

Economic Development Director Greg Shrewsbury explained that the city has continued to try to work with all sides in a non-public setting to resolve the issue of Food City not

locating a grocery store in the site vacated by Kroger on Cumberland Road. Shrewsbury said there is a local grocer that is willing to take the lease of that building, and by blocking that particular business or not allowing that business in that facility, it has cost Bluefield jobs and local taxes. Shrewsbury advised that the former Kroger location is strategic because it is the largest space in town for a full service grocery store. Shrewsbury said the city does not have another suitable location for a store that size.

Director Shrewsbury said that he felt the city should try to mediate and solve this issue for the city by inviting Steve Smith, CEO K-VA-T and Tom Lilly, co-owner of the Bluefield Plaza to attend the January 8, 2013 board meeting to reconcile this issue for the City of Bluefield.

After discussion, Director Pete Sternloff moved to pass a resolution asking the owners of Food City and the owner of the Bluefield Plaza to attend the January 8, 2013 board meeting to explain why the old Kroger store on Cumberland Road is still vacant, Motion seconded by Director Tom Blevins. Unanimously approved and so ordered.

REPORTS OF OFFICERS, BOARD AND STANDING COMMITTEES

Economic Development Director Greg Shrewsbury reported that the economic development team for the city is being referred to as "Blue Momentum." Director Shrewsbury announced that he will be presenting to the board in January a plan on behalf of the people working with him. Shrewsbury said this plan will be a start of positive actions in terms of economic activity for Bluefield and will include Cumberland Road, John Nash Boulevard, Princeton Avenue, Bluefield Avenue and downtown.

Director Pete Sternloff commented that one of the great experiences that he had this year was to drive the car for the Grand Marshal of the Christmas parade, and to see all the wonderful people who came out in support of the parade. Director Sternloff emphasized how important it is to shop local.

Director Mary Frances Brammer thanked everyone for attending the meeting. Director Brammer thanked everyone who participated in the parade for being there. Director Brammer reminded everyone to say something good about Bluefield.

Director Tom Blevins announced that he did not plan to run for another term on the Bluefield City Board in the next coming election. Director Blevins said that he had retired and bought property outside of the city, and for that reason he would not be here full time to attend meetings. Director Blevins said that it is very important to have qualified board members with financial experience to serve on the City Board. Director Blevins said that the board needs qualified persons running for the city board who will be able to assist the city efforts in economic development in the city.

Director Blevins said that he appreciated being elected to the board and having the opportunity to serve on the City Board.

Director Deb Sarver thanked Angie Foley for her work with the Holiday of Lights. Director Sarver asked everyone to check the City of Bluefield Facebook page for HOL schedules for Santa Clause and the trolley rides. Director Sarver thanked everyone for their donations to the Holiday of Lights.

Attorney Brian Cochran announced that George McGonagle was crowned "King of Baseball" by the entire major league and minor league baseball entities.

Mayor Linda Whalen said this is a great honor and George is a great citizen.

City Manager Jim Ferguson commented that he was looking for citizens willing to take action and participate in making our city a better place to live and work. Manager Ferguson said that he was looking to deputize citizens or anyone who takes pride in the city to be a part of "Team Blue."

Mayor Linda Whalen stated that the board would be retiring into executive session to discuss personnel issues at the end of the meeting and would not be returning to regular session for a decision.

PUBLIC COMMENTS

Art Riley on behalf of the Christmas Parade Committee he thanked the City Manager, Police Department, Fire Department and everyone who had any involvement in the parade. Mr. Riley thanked everyone who came out to watch the parade.

Mr. Riley asked the board for consideration in reviving the "Business of the Month" next year, and to recognize the people who work in our city to make it successful.

Mr. Riley expressed his appreciation to the Board, City Manager, City Attorney and everyone who works in the city for the courtesies shown to downtown businesses, and wished everyone a Merry Christmas.

Jerri Ball Snider thanked the City Manager, City Board and the community for allowing her to speak.

Ms. Ball offered comments regarding Gary Bowling's House of Art. Ms. Ball asked how as a community we can lose another valuable asset. Ms. Ball commented that Gary is a nationally known artist and has been invited to the White House to paint Easter eggs for Barbara Bush and Nancy Reagan. She said this is Gary's hometown and he doesn't want to leave, he chooses to stay in Bluefield. Ms. Ball advised that she, Randy Snider and Kathy Kennedy have accepted the opportunity to serve on Gary Bowling's House of Art Board and will proudly do whatever they can possibly do to help.

Isaac Reston asked the board to make sure the public understands what is happening with the Bluefield Area Arts building if the city decides to take over the building. Mr. Reston said, "We are all citizens of Bluefield, be proud of what you have."

Mayor Whalen wished everyone a "Merry Christmas and a Happy New Year."

The board voted unanimously to adjourn into Executive Session on a motion by Pete Sternloff, seconded by Mary Frances Brammer.

ANNOUNCEMENTS AND OTHER

- Holiday of Lights Festival at Bluefield City Park

Hearing no further business the meeting was adjourned.

Helen L. Mitchell, City Clerk

Linda K. Whalen, Mayor